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PTO/SB/82 (09-04)  
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<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10/671,715-Conf. #9275
	Filing Date	September 29, 2003
	First Named Inventor	Harry A. Dugger, III
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	N9810.0025/P025

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

OR

☐ Firm or  
Individual Name

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
James W. Brady, Jr.

Address

City

Country

State

Zip

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature

Name

Jean W. Frydman Esq.

Date

January 28, 2005

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐

\*Total of  forms are submitted.



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PTO/SB/96 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Harry A. Dugger, III et al.

Application No./Patent No.: 10/671,715 Filed/Issue Date: September 29, 2003

Entitled: BUCCAL, POLAR AND NON-POLAR SPRAY CONTAINING ZOLIPIDEM

NOVADEL PHARMA INC., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Jean W. Frydman  
Signature  
Jean W. Frydman, Esq.  
Printed or Typed Name  
Vice President & General Counsel  
Title

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Telephone Number

## ASSIGNMENT

WHEREAS, WE, HARRY A. DUGGER III AND MOHAMMED ABD EL-SHAIFY, ASSIGNORS, citizens of the United States, residing at 548 Sargentville Road, Flemington, NJ 08822 and 428 Townline Road, Hauppauge, NY 11788, respectively, are the inventors of the invention in BUCCAL, POLAR, AND NON-POLAR SPRAY CONTAINING ZOLPIDEM for which we have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐ \_\_\_\_\_  
☒ which is identified by Jones Day docket no. 11122-030-999  
☒ which was filed on September 29, 2003, Application No. 10/671,715

and WHEREAS, NOVADEL PHARMA INC., a corporation existing under the laws of the State of New Jersey and having an office for the transaction of business at 25 Minneakoning Road, Flemington, NJ 08822, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 4, 2004 Harry A. Dugger III L.S.  
 Date August 4, 2004 Mohammed Abd El-Shaify L.S.  
 State of N.J. )  
 County of Hunterdon ) SS.:

On Aug 9, 2004, before me, Mary Ellen Montemurro, Notary Public, personally appeared Harry A. Dugger III, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

MARY ELLEN MONTEMURRO  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires April 24, 2006

Mary Ellen Montemurro  
 State of N.J. )  
 County of Hunterdon ) SS.:

On Aug 9, 2004, before me, Mary Ellen Montemurro, Notary Public, personally appeared Mohammed Abd El-Shaify, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

MARY ELLEN MONTEMURRO  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires April 24, 2006

Mary Ellen Montemurro